

CAMPAIGN SPENDING COMMISSION

STATE OF HAWAII

In Re the Matter of	)	CA 05-07
	)	
ARCHITECTS PACIFIC, INC.,	)	
John Adversalo, and Curtis Miyamura	)	
	)	
Respondents.	)	
_____	)	

CONCILIATION AGREEMENT

On or around April 2004, Robert Y. Watada, Executive Director for the Campaign Spending Commission ("Commission"), initiated an investigation of Respondents, Architects Pacific, Inc. ("API") and John Adversalo ("Architects" unless otherwise noted). Business Registration Division records lists Architects Pacific, Inc.'s purpose as architectural services, whose business address is 938 Kapahulu Ave., Suite C, Honolulu, Hawaii. Business registration records list John A. Adversalo ("Adversalo") as president/treasurer and Curtis K.K.M. Miyamura ("Miyamura") as vice-president/secretary.

Adversalo and Miyamura are also listed as officers of Kwai Ming Lee Enterprises, whose business purpose is purchasing, owning, developing, operating, leasing and dealing in real property. Kwai Ming Lee owns the property where Architects Pacific is located at 938 Kapahulu Ave., Suite C, Honolulu, Hawaii.

The investigation was initiated pursuant to the express authority of section 11-193, Hawaii Revised Statutes ("HRS"), for a determination of whether the campaign spending law had been violated and a complaint would be submitted to the Commission.

NOW, THEREFORE, Architects and the Commission, having entered into conciliation and pursuant to section 11-216(g), HRS, do hereby agree as follows:

- I. That the Commission has jurisdiction over Respondents and the subject matter of this administrative action.
- II. That this Conciliation Agreement ("Agreement") and upon complete performance of the conditions stated herein has the effect of remedial or corrective action taken by Respondents pursuant to section 11-216(g), HRS.
- III. That Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- IV. That Respondents waive the right to be heard at a public hearing conducted under chapter 91, HRS, pursuant to section 11-228(b), HRS.
- V. That Respondents enter into this Agreement with the Commission on their own volition and with full knowledge and understanding.
- VI. That parties agree to the pertinent facts as follows:
  1. On or around April 2004, Robert Y. Watada, in his capacity as Executive Director of the Campaign Spending Commission, and upon information received through the disclosure statements of the candidate campaign committees of:

Arnold Morgado ("Morgado"),  
Ben Cayetano ("Cayetano"),  
Jeremy Harris ("Harris"),  
Kimo Apana ("Apana"), and  
Mazie Hirono ("Hirono")

initiated an investigation involving false name or excess contributions in violation of particular campaign finance statutes..

2. Section 11-204(a)(1)(C), HRS, reads in part as follows: No person, other than a candidate for the candidate's own campaign, or any other entity shall make contributions to:...A candidate seeking nomination or election to a four-year nonstatewide office or to the candidate's committee in an aggregate amount greater than \$4,000 during an election period.
3. Section 11-202, HRS, reads in part as follows: No person shall make a contribution of the person's own money or property, or committee in connection with a nomination for election, or election, in any name other than the true name of the person who owns the money or who supplied the money or property.
4. The Commission finds that Adversalo and friends made contributions to Morgado in the amount of \$1,600 including the following individuals:

Ralph H. Manago	August 1996	\$800
Ralph H. Manago	August 1996	\$800

5. The Commission finds that Adversalo, family and friends made contributions to Cayetano in the amount of \$6,000 including the following individuals:

John A. Adversalo	May 1997	\$1,000
John A. Adversalo	February 1998	\$1,500
Ralph H. Manago	February 1998	\$ 500
Maria S. Adversalo (wife of John Adversalo)	October 1998	\$2,000

Lenny Villanueva	October 1998	\$1,000
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6. The Commission finds that Adversalo, family, friends and associates made contributions to Harris in the amount of \$24,300, including the following individuals:

Meliton A. Adversalo	August 1996	\$ 900
(father of John Adversalo)		
Ralph H. Manago	August 1996	\$ 800
Jane K. Matsukage	August 1996	\$ 800
(friend of Ralph Manago)		
Meliton A. Adversalo	August 1996	\$ 800
Ralph H. Manago	September 1997	\$2,000
Jim Willard	June 1998	\$1,000
Salvador Ramento	June 1998	\$2,000
Lenny Villanueva	June 1998	\$ 200
Lenny Villanueva	June 1998	\$ 300
Maria Adversalo	June 1999	\$1,500
Ralph H. Manago	June 1999	\$1,000
Lenny Villanueva	June 1999	\$ 500
Lenny Villanueva	December 1999	\$1,000
Gordon Wee	December 1999	\$1,000
James G.J. Yim	December 1999	\$1,000
Kathleen Ramento	December 1999	\$1,000
Maria Adversalo	December 1999	\$1,000
John A. Adversalo	March 2000	\$ 500
Lenny Villanueva	April 2000	\$1,000
Gordon T.G. Wee	April 2000	\$1,000
Lenny Villanueva	September 2000	\$1,000
Gordon T.G. Wee	September 2000	\$1,000
James G.J. Yim	September 2000	\$1,000
Jim Maribel	December 2001	\$1,000
Kathleen Ramento	December 2001	\$1,000

7. The Commission finds that family and friends of Adversalo made contributions to Apana in the amount of \$5,000 including the following individuals:

Jim Maribel	July 2001	\$1,000
Ralph H. Manago	July 2001	\$2,000

Kathleen Ramento	July 2001	\$2,000
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8. The Commission finds that John A. Adversalo and an associate made contributions to Hirono in the amount of \$6,700, including the following:

John A. Adversalo	September 1997	\$ 200
John A. Adversalo	October 1998	\$2,000
Lenny Villanueva	October 1998	\$1,000
Lenny Villanueva	April 2002	\$2,000
Lenny Villanueva	October 2002	\$1,500

9. The Commission finds that the family of Curtis Miyamura made contributions to Morgado in the amount of \$1,600, including the following:

Masao Miyamura (father of Curtis Miyamura)	August 1996	\$ 800
Cindy Y. Yasuhara (sister-in-law of Curtis Miyamura)	August 1996	\$ 800

10. The Commission finds that Curtis Miyamura and wife made contributions to Cayetano in the amount of \$9,500, including the following:

Curtis Miyamura	May 1997	\$1,000
Curtis Miyamura	December 1997	\$3,000
Curtis Miyamura	July 1998	\$ 500
Phyllis Miyamura (wife of Curtis Miyamura)	July 1998	\$2,000
Phyllis Miyamura	July 1998	\$2,000
Phyllis Miyamura	October 1998	\$1,000

11. The Commission finds that Curtis Miyamura, wife and family made contributions to Harris in the amount of \$8,200, including the following:

Caroline Miyamura	August 1996	\$ 800
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(mother of Curtis Miyamura)

Cindy Yasuhara	August 1996	\$ 800
Caroline Miyamura	December 1996	\$ 600
Curtis Miyamura	June 1999	\$2,000
Phyllis Miyamura	September 2000	\$2,000
Cindy Yasuhara	December 2001	\$2,000

12. The Commission finds that Curtis Miyamura and wife made contributions to Hirono in the amount of \$3,500 including:

Curtis Miyamura	September 1997	\$ 500
Phyllis Miyamura	October 1998	\$3,000

13. Further, Kwai Ming Lee Enterprises made contributions in the amount of \$2,000 to other candidates.
14. Architects did not file an organizational report pursuant to section 11-194, HRS.
15. Architects did not file disclosure reports pursuant to sections 11-212 and 11-213, HRS.
16. Architects did not file contractor reports pursuant to section 11-205.5, HRS.

## VII. Settlement Terms

As final settlement of the matter and issues in Conciliation Agreement #05-07, Architects understands and agrees to the following:

- (A) John A. Adversalo agrees to an assessment of **Thirty-six Thousand Five Hundred Dollars (\$36,500)** pursuant to section 11-228, HRS.

- (1) For violation of section 11-202 HRS, making false name campaign contributions to the candidate

committees of Morgado, Cayetano, Harris, Apana,  
and Hirono; and

- (2) For violation of section 11-204, HRS, making  
excess campaign contributions to the candidate  
committees of Harris and Apana.

- (B) Curtis Miyamura agrees to an assessment of **Four  
Thousand Five Hundred Dollars (\$4,500)** pursuant to  
section 11-228, HRS.

- (1) For violation of section 11-202, HRS, making false  
name campaign contributions to the candidate  
committees of Morgado and Harris; and

- (2) For violation of section 11-204, HRS, making  
excess campaign contributions to the candidate  
committee of Harris.

- (C) For failure to file an organizational report, disclosure  
reports and contractor reports pursuant to sections 11-194,  
11-212, 11-213 and 11-205.5, HRS.

- (D) Architects agree to comply with campaign finance statutes  
on contributions and expenditures to candidate committees.

- (E) Terms of payment of the assessment shall be by order of  
the Commission.

- (F) This Agreement is not to be construed as an admission of  
any misconduct, liability or fault of any kind whatsoever by

Respondents, but compromises and settles a dispute for the purpose of avoiding further controversy, litigation, and exposure.

- VIII. The Commission upon its own motion or a written request of anyone filing a complaint under section 11-216, HRS, may review compliance with the Agreement. If the Commission believes that the Agreement has been violated, it may institute administrative proceedings or a civil action in the Circuit Court of the First Circuit pursuant to section 11-228(c), HRS.
- IX. This Agreement shall become effective as of the date that all parties have signed and the Commission has approved the entire Agreement.
- X. This Agreement constitutes the entire agreement between the Commission and Architects on the matters raised herein, and no other statement, promise, or agreement, either in writing or oral, not contained in this Agreement made by either party or by agents of either party shall be enforceable.
- XI. This Agreement, unless violated, shall be a complete bar to any further action by the Commission with respect to the violations at issue in this matter.

**FOR THE COMMISSION:**

Robert Y. Watada, Executive Director

By: \_\_\_\_\_

Date: \_\_\_\_\_

**BY THE RESPONDENTS:**

Architects Pacific, Inc.

By: \_\_\_\_\_

John A. Adversalo  
President

By: \_\_\_\_\_

John A. Adversalo

By: \_\_\_\_\_

Curtis K. Miyamura